

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2736

IN THE MATTER OF:

Served July 17, 1985

Application of JAMES M. SMITH,)
INC., for Special Authorization to)
Conduct Charter Operations Pursuant)
to Contract with United States)
Department of Interior--Geological)
Survey)

Case No. CP-85-04

By application filed July 11, 1985, perfected July 16, 1985, James M. Smith, Inc. ("Smith" or "applicant"), seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport employees of the United States Department of Interior including Geological Survey, Mineral Management Service and other government employees as well as persons traveling on official business with Geological Survey in charter operations pursuant to contract with United States Department of Interior--Geological Survey between U.S. Geological Survey, 12201 Sunrise Valley Drive, Reston, Va., and Department of the Interior, C Street, N.W., Washington, D.C., and on round trips originating and terminating at 12201 Sunrise Valley Drive, Reston, Va., with intermediate stops at points throughout the Metropolitan District.

The contract period extends from August 1, 1985, through July 31, 1986, and includes an option to renew for a second year. The shuttle service between Reston and Washington is to be provided on a scheduled basis, Monday through Friday, excluding federal holidays. In addition applicant is required to provide passenger shuttle service, as directed, between points in the Metropolitan District for approximately 25 full days and six half days.

The service will be provided using two 1985 vans having a manufacturer's designed seating capacity of 15 passengers including the driver. Applicant is experienced in providing employee shuttle transportation. Smith states that it is familiar with the Compact and the Commission's rules and regulations and will comply therewith, that applicant has not been found unfit by any regulatory agency, and that it is not under any fitness investigation by this Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the Interstate Commerce Commission, or the United States Department of Transportation.

Applicant's balance sheet, dated March 31, 1985, indicates current assets of \$23,861, plus fixed assets of \$162,669. Current liabilities are listed at \$53,464; long term and other liabilities are listed at \$49,564. Stockholder's equity is listed at \$83,502. Applicant projects revenue of \$97,550 from service provided under the contract with concomitant expenses of \$75,490 for an operating ratio of 77.

David S. Hadsell, contracting officer for Geological Survey, submitted a notarized letter in support of the application stating that although the proposed service is currently being provided by Edwards Trucking Company pursuant to WMATC Special Authorization No. SP-40-08, applicant provided the same service for Geological Survey from April 24, 1976, through June 30, 1977. During the basic contract period approximately 20,400 persons will be transported in scheduled operations. During the same period it is anticipated that approximately 900 persons will be transported to various points in the Metropolitan District in on-call services. Geological Survey has investigated applicant's qualifications including financial status, past performance on government contracts, and ability to perform the proposed transportation and has determined James M. Smith, Inc., to be financially responsible and technically able to perform the work.

Inasmuch as a contract will be executed for the transportation of employees pursuant to contract with their employer as well as persons traveling on official business between points within the Metropolitan District for a period in excess of 181 days, the application appears amenable to processing under Commission Regulation No. 70. */ Consequently, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn, and notarized, and must contain all evidence and argument upon which the protestant would rely.

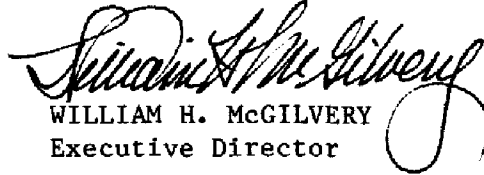
THEREFORE, IT IS ORDERED:

1. That James M. Smith, Inc., publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission no later than Friday, July 19, 1985.
2. That applicant shall file an affidavit of such publication with the Commission no later than Friday, July 26, 1985.
3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, Suite 316, 1625 I Street,

*/ See Order No. 2004, served June 20, 1979.

N.W., Washington, D.C. 20006, no later than Monday, July 29, 1985, and shall simultaneously serve a copy of such protest on applicant's attorney, Leo S. Fisher, Esquire, Suite 801, 1025 Thomas Jefferson Street, N.W., Washington, D.C. 20007.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

